

Notice of Allowability

Application No.

09/690,201

Applicant(s)

REFAI ET AL.

Examiner

Art Unit

Robert W. Wilson

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/21/05.
2. ☒ The allowed claim(s) is/are 1-13, 15-19, 14, 20-25, 28-29, 26-27, & 30-35 (Re#1-35).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____


BOB PHUNKULH
PRIMARY EXAMINER

Allowable Subject Matter

1. The present invention is directed to a method for TDMA wireless terminal to acquire service by camping on a TDMA digital control channel, receiving a request for an operation to be performed by the TDMA wireless terminal that is performed by the TDMA wireless terminal mutually exclusive of camping on the TDMA digital control channel.

The closest prior art is Hardin (U.S. Patent No.: 6,400,948). Harding teaches a method for a TDMA wireless terminal to acquire service by camping on a TDMA digital control channel, receiving a request for a download operation which is not an event which is mutually exclusive of camping on the control channel.

The closest prior art (Hardin) does not disclose, anticipate or render obvious the following claim limitations:

“camping on a TDMA digital control channel; receiving a request for an operation to be performed by the TDMA wireless terminal that is performed by the TDMA wireless terminal mutually exclusive of camping on the TDMA digital control channel” as claimed in claim 1,6,14, 20,21, 26, 27, 30, & 35.

In addition:

Claims 2-5 are allowed because they depend upon claim 1.

Claims 7-10 are allowed because they depend upon claim 6.

Claims 12-13 & 15-19 are allowed because they depend upon claim 11.

Claims 22-25 & 28-29 are allowed because they depend upon claim 21.

Claims 31-34 are allowed because they depend upon claim 30.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075.

The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 571/272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert W Wilson
Examiner
Art Unit 2661

RWW
9/26/05



BOB PHUNKULH
PRIMARY EXAMINER